

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING  
PHARMACY, INC. PRODUCTS  
LIABILITY LITIGATION

MDL No. 2419  
Dkt. No. 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:

All Actions

**MOTION TO CANCEL JUNE 1, 2017 STATUS CONFERENCE**

The Plaintiffs' Steering Committee hereby respectfully moves to cancel the June 1, 2017 status conference. The next status conference would then be July 20, 2017.

Having reviewed the docket, it appears that there are no matters ripe for resolution or oral argument. Responses to the Tennessee clinic defendant's motion for reconsideration (regarding depositions of NECC personnel and the FDA) are not due until June 2, 2017.<sup>1</sup> While Box Hill has again moved for remand, the Box Hill plaintiffs have not yet opposed.<sup>2</sup> And the Specialty Surgery Center mediation has not yet occurred. Further, scheduling conflicts have arisen that make it difficult for an attorney from Hagens Berman Sobol Shapiro LLP to participate in person.<sup>3</sup>

The PSC and the Tort Trustee will still file their respective status reports by June 1, 2017. The PSC will address what the Court needs to do now (and later) to wind down the MDL. The Tort Trustee will address the status of first round payments and the anticipated timing for second round payments.

The PSC advised counsel for the defendants, the Box Hill plaintiffs, the Tennessee plaintiffs, the U.S. Attorney's office, the Tort Trustee, and the Post-Confirmation Officer that it

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<sup>1</sup> ECF No. 3381; ECF No. 3383 (electronic order).

<sup>2</sup> ECF No. 3379; ECF No. 3380.

<sup>3</sup> If the Court chooses to hold the status conference, we respectfully request permission for Atty. Kristen Johnson to participate by telephone.

intended to move to cancel the hearing, requesting any objections by noon today. So far, the Tennessee plaintiffs and Box Hill plaintiffs consented. No one has objected.

Dated: May 25, 2017

Respectfully submitted,

**/s/ Kristen A. Johnson**

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*Plaintiffs' Steering Committee*

**CERTIFICATE OF SERVICE**

I, Kristen A. Johnson, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: May 25, 2017

**/s/ Kristen A. Johnson**  
Kristen A. Johnson, BBO # 667261